

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

MUMIN ISRAFIL,	:	Case No. 1:09-cv-468
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Stephanie K. Bowman
vs.	:	
	:	
BARBARA WOODS, <i>et al.</i> ,	:	
Defendants.	:	

**DECISION AND ENTRY:**

**(1) ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. 241);**

**(2) GRANTING DEFENDANT JENNIFER YOUNG’S  
MOTION FOR SUMMARY JUDGMENT (DOC. 234);**

**(3) OVERRULING PLAINTIFF’S OBJECTIONS (DOC. 247)  
TO THE SEPTEMBER 17, 2012 MEMORANDUM ORDER  
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. 240); AND**

**(4) OVERRULING PLAINTIFF’S OBJECTIONS (DOC. 268)  
TO THE JULY 22, 2013 MEMORANDUM ORDER  
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. 264)<sup>1</sup>**

This case is before the Court pursuant to the Order of General Reference in the  
United States District Court for the Southern District of Ohio Western Division to United

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<sup>1</sup> In an Opinion and Order dated January 17, 2013 (Doc. 249), the Court concluded it was without jurisdiction to consider this Report and Recommendation (and all related pleadings) or Plaintiff’s objections to the September 17, 2012 Memorandum Order in light of Plaintiff’s appeal (Doc. 232) to the United States Court of Appeals for the Sixth Circuit. That appeal was dismissed for want of prosecution on July 18, 2013 (Doc. 262); thereafter, the Magistrate Judge issued her July 22, 2013 Memorandum Order (Doc. 264). Plaintiff sought an extension of time to prepare his objections to said Memorandum Order (Doc. 265), which this Court granted on August 8, 2013 (Doc. 267). Also on August 8, 2013, however, Plaintiff’s motion to reinstate his appeal was granted by the Sixth Circuit (Doc. 266), again divesting this Court of jurisdiction. That appeal was subsequently dismissed for lack of subject-matter jurisdiction on May 7, 2014 (Doc. 269). Plaintiff filed a motion to “reconvene” his claims on November 21, 2014 (Doc. 270), which the Court granted on December 2, 2014 (Doc. 271).

States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on September 17, 2012, submitted a Report and Recommendation (Doc. 241) regarding Defendant Jennifer Young's Motion for Summary Judgment (Doc. 234). Plaintiff sought (Doc. 243) and was granted (Doc. 244) an extension of time to prepare his objections, which were filed on November 1, 2012 (Doc. 246). Also pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on September 17, 2012, issued a Memorandum Order (Doc. 240) in which she denied Plaintiff's renewed request for the appointment of counsel (Doc. 237); and, on July 22, 2013, issued a Memorandum Order (Doc. 264) in which she denied both Plaintiff's motion to reopen discovery against Defendant Sexton (including Plaintiff's request for an evidentiary hearing) (Doc. 238) and Plaintiff's motion for the appointment of counsel for the purpose of conducting alternative dispute resolution proceedings (Doc. 248). Plaintiff filed objections to both of these Memorandum Orders (Docs. 247, 268 respectively).

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter regarding Defendant Young's motion. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby adopted in its entirety. The Court does further determine that nothing contained within the September 17, 2012 Memorandum Order or the July 22, 2013 Memorandum Order is clearly erroneous or contrary to law. Accordingly:

1. The Report and Recommendation (Doc. 241) is **ADOPTED**;

2. Defendant Jennifer Young's Motion for Summary Judgment (Doc. 234) is **GRANTED**;
3. Plaintiff's objections (Doc. 247) to the September 17, 2012 Memorandum Order (Doc. 240) are **OVERRULED**; and
4. Plaintiff's objections (Doc. 268) to the July 22, 2013 Memorandum Order (Doc. 264) are **OVERRULED**.

**IT IS SO ORDERED.**

Date: 2/3/15

s/ Timothy S. Black  
Timothy S. Black  
United States District Judge